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SENATE BILL 1820
By Dixon

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 1 and Title 39, Chapter 13, Part 2, relative to certain offenses involving children.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-103, is amended by adding the following to the end of subsection (b):

Reckless endangerment committed by leaving a child ten (10) years of age or less unattended in a motor vehicle that results in placing the child or another in imminent danger is a Class E felony.

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 13, Part 2, is amended by adding the following new section:

Section 39-13-219.

(a) It is an offense for a person to knowingly leave a child ten (10) years of age or less unattended in a motor vehicle if, as the result of such conduct:

(1) The child's health and welfare is adversely affected to the extent that the child is killed; or

(2) The child kills another person by causing a motor vehicle accident or by causing the motor vehicle to kill another.

(b)

(1)

(A) A violation of subsection (a)(1) is a Class B felony if the child is more than six (6) years of age but no more than ten (10) years of age.

(B) A violation of subsection (a)(1) is a Class A felony if the child is six (6) years of age or less.

(2) A violation of subsection (a)(2) is a Class D felony if it is determined that the person's conduct resulting in the death was reckless.

(3) A violation of subsection (a)(2) is a Class E felony if it is determined that the person's conduct resulting in the death was criminally negligent.

(c) As used in this section:

(1) "Motor vehicle" means any automobile, truck, tractor-truck, or any motorbus or motor propelled vehicle not exclusively operated or driven on fixed rails or tracks; and

(2) "Unattended" means the child is not accompanied by a person fourteen (14) years of age or older.

SECTION 3. This act shall take effect July 1, 2001, the public welfare requiring it.